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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/635,319
Filing Date	August 6, 2003
First Named Inventor	Benjamin Garden et al.
Art Unit	3732
Examiner Name	Unassigned
Attorney Docket Number	4002-3358/PC933.00

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement 5 references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard International Search Report and Written Opinion for PCT/US2004/019072
<div>Remarks</div>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Douglas A. Collier		
Date	April 26, 2005	Reg. No.	43,556

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Douglas A. Collier	Date	April 26, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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#606813

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent	)	
application of:	)	Before the Examiner
	)	
Benjamin Garden et al.	)	Unassigned
	)	
Serial No. 10/635,319	)	
	)	Group Art Unit 3732
Filed: August 6, 2003	)	
	)	
SYSTEMS AND TECHNIQUES FOR	)	April 26, 2005
STABILIZING THE SPINE AND PLACING	)	
STABILIZATION SYSTEMS	)	Atty Docket No. 4002-3358/PC933.00

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

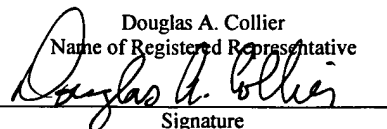
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Pursuant to the duty of disclosure embodiment in 37 C.F.R. §1.56, applicant wishes to bring to the attention of the Examiner the following patents, publication and/or other information listed on the attached PTO Form 1449.

This information is not believed to have previously submitted in this application, and has not heretofore been cited by the Examiner. Copies of the cited items are enclosed herewith along with the International Search Report and Written Opinion from a counterpart PCT Application PCT/US2004/019072. The filing of this Supplemental Information Disclosure Statement shall not construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56 or prior art.

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Douglas A. Collier  
Name of Registered Representative

  
Signature

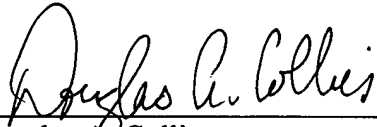
April 26, 2005  
Date of Signature

USN 10/635,319  
Supplemental IDS  
4002-3358/PC933.00

The International Search Report and Written are enclosed to provide a concise statement regarding the relevance of the foreign language reference FR 2 822 674. Also enclosed is its counterpart PCT publication which includes an English language abstract.

This statement is being submitted before the mailing of a first Office Action on the merits, and no fee is believed due for consideration of the same. Should any fees be required, please charge the same to Deposit Account 12-2424, but not including the payment of any issue fees that are or may become due.

Respectfully submitted:

By:   
Douglas A. Collier  
Reg. No. 43,556  
Krieg DeVault LLP  
2800 One Indiana Square  
Indianapolis, Indiana 46204-2079  
Phone: (317) 636-4341

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Substitute for form T449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet

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**Complete if Known**

Application Number	10/635,319
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First Named Inventor	Benjamin Garden
Art Unit	3732
Examiner Name	Unassigned
Attorney Docket Number	4002-3358/PC933.00

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
	1	EP 1 306 058 A1	05-02-2003	Corin Ltd		
	2	WO 98/51226	11-19-1998	SDGI Holdings		
	3	WO 02/080819	10-17-2002	Scient'x		
	4	WO 03/037216	05-08-2003	SDGI Holdings		
	5	FR 2 822 674 A1	10-04-2002	Scient'x		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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